

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TQ DELTA, LLC

v.

**COMMSCOPE HOLDING COMPANY,
INC., et al**

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CIVIL ACTION NO. 2:21-CV-00310-JRG

**MINUTES FOR JURY TRIAL DAY NO. 3
HELD BEFORE U. S. DISTRICT JUDGE RODNEY GILSTRAP
March 21, 2023**

OPEN: 08:34 AM

ADJOURN: 05:43 PM

ATTORNEYS FOR PLAINTIFF: See attached

ATTORNEYS FOR DEFENDANTS: See attached

LAW CLERKS: Patrick Clark
Harris Huguenard
Dallas Jackson

COURT REPORTER: Shawn McRoberts, RMR, CRR

COURTROOM DEPUTY: Andrea Brunson, CP

| TIME | MINUTE ENTRY |
|-------------|---|
| 08:34 AM | Court opened. |
| 08:34 AM | Exhibits used prior day read into the record. |
| 08:37 AM | Jury entered the courtroom. |
| 08:37 AM | Continuation of Plaintiff's case-in-chief: |
| 08:37 AM | Continuation direct examination of Dr. Todor Cooklev by Mr. Hurt. |
| 08:41 AM | Courtroom sealed. |
| 08:42 AM | Continuation direct examination of Dr. Todor Cooklev by Mr. Hurt. |
| 09:31 AM | Courtroom unsealed. |
| 09:31 AM | Continuation direct examination of Dr. Todor Cooklev by Mr. Hurt. |
| 09:53 AM | Jury recessed for break. |
| 09:53 AM | Recess. |
| 10:07 AM | Court reconvened. |
| 10:07 AM | Jury returned to courtroom. |
| 10:08 AM | Cross examination of Dr. Todor Cooklev by Mr. Barton. |
| 10:48 AM | Bench conference. |
| 10:54 AM | Bench conference concluded. |

| TIME | MINUTE ENTRY |
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| 10:54 AM | Continuation cross examination of Dr. Todor Cooklev by Mr. Barton. |
| 11:16 AM | Redirect examination of Dr. Todor Cooklev by Mr. Hurt. |
| 11:27 AM | Courtroom sealed. |
| 11:27 AM | Continuation redirect examination of Dr. Todor Cooklev by Mr. Hurt. |
| 11:31 AM | Courtroom unsealed. |
| 11:32 AM | Recross examination of Dr. Todor Cooklev by Mr. Barton. |
| 11:37 AM | Additional redirect examination of Dr. Todor Cooklev by Mr. Hurt. |
| 11:38 AM | Completion of testimony of Dr. Todor Cooklev. |
| 11:39 AM | Jury recessed for lunch break. |
| 11:39 AM | Court instructed counsel to meet and confer and jointly submit an updated proposed final jury instruction and verdict form by 3:00 PM tomorrow in Word format and transmitted to Court staff. |
| 11:40 AM | Recess. |
| 12:52 PM | Court reconvened. |
| 12:53 PM | Jury returned to courtroom. |
| 12:53 PM | Witness sworn. Direct examination of Mr. Vijay Madiseti by Mr. Chiplunkar. |
| 01:11 PM | Courtroom sealed. |
| 01:12 PM | Continuation direct examination of Mr. Vijay Madiseti by Mr. Chiplunkar. |
| 01:59 PM | Courtroom unsealed. |
| 02:00 PM | Cross examination of Mr. Vijay Madiseti by Mr. Stevens. |
| 02:22 PM | Redirect examination of Mr. Vijay Madiseti by Mr. Chiplunkar. |
| 02:27 PM | Recross examination of Mr. Vijay Madiseti by Mr. Stevens. |
| 02:28 PM | Completion of testimony of Mr. Vijay Madiseti. |
| 02:28 PM | Witness sworn. Direct examination of Dr. Peter Heller by Mr. Wilson. |
| 02:41 PM | Cross examination of Dr. Peter Heller by Mr. Barton. |
| 02:45 PM | Completion of testimony of Dr. Peter Heller. |
| 02:46 PM | Mr. Davis introduced the video deposition of Mr. Jim Shead. |
| 02:47 PM | Technical difficulties experienced. |
| 02:47 PM | Jury recessed for break. |
| 02:48 PM | Recess. |
| 03:08 PM | Court reconvened. |
| 03:08 PM | Mr. Stevens on behalf of Defendants raised a live witness issue. |
| 03:09 PM | Dr. Michael Tzannes sworn. |
| 03:10 PM | <i>Voir dire</i> of Dr. Michael Tzannes by Mr. Stevens. |
| 03:11 PM | Objection raised by Mr. Stevens on behalf of Defendants. |
| 03:12 PM | Court made rulings as set forth in the record. |
| 03:15 PM | Jury returned to courtroom. |
| 03:16 PM | Mr. Davis introduced the video deposition of Mr. Jim Shead. |
| 03:23 PM | Video deposition of Mr. Jim Shead concluded. |
| 03:24 PM | Witness sworn. Direct examination of Dr. Michael Tzannes by Mr. Fink. |
| 03:51 PM | Cross examination of Dr. Michael Tzannes by Mr. Stevens. |
| 04:13 PM | Redirect examination of Dr. Michael Tzannes by Mr. Fink. |
| 04:14 PM | Completion of testimony of Dr. Michael Tzannes. |
| 04:15 PM | Bench conference. |
| 04:16 PM | Bench conference concluded. |

| TIME | MINUTE ENTRY |
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| 04:16 PM | Witness sworn. Direct examination of Mr. Steven Wauters (adverse witness) by Mr. Davis. |
| 04:16 PM | Court provided explanation to the jury re: testimony of an adverse witness. |
| 04:55 PM | Jury recessed for break. |
| 04:55 PM | Recess. |
| 05:06 PM | Court reconvened. |
| 05:07 PM | Jury returned to courtroom. |
| 05:07 PM | Cross examination of Mr. Steven Wauters (adverse witness) by Mr. Barton. |
| 05:19 PM | Courtroom sealed. |
| 05:19 PM | Continuation cross examination of Mr. Steven Wauters (adverse witness) by Mr. Barton. |
| 05:23 PM | Courtroom unsealed. |
| 05:23 PM | Continuation cross examination of Mr. Steven Wauters (adverse witness) by Mr. Barton. |
| 05:32 PM | Redirect examination of Mr. Steven Wauters (adverse witness) by Mr. Davis. |
| 05:39 PM | Completion of testimony of Mr. Steven Wauters (adverse witness). |
| 05:40 PM | Jury recessed for the day until 8:30 AM tomorrow. |
| 05:41 PM | Court reminded the parties to continue with their meet and confer efforts re: overnight disputes. |
| 05:43 PM | Court adjourned. |